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Committee on the Elimination of Discrimination against Women
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Summary record of the 700th meeting
Held at Headquarters, New York, on Monday, 18 July 2005, at 3 p.m.

Chairperson: Ms. Schöpp-Schilling (Vice-Chairperson)

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In the absence of Ms. Manalo, Ms. Schopp-Schilling, Vice-Chairperson, took the Chair.

The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial report of the Democratic People's Republic of Korea (continued) (CEDAW/C/PRK/1, CEDAW/PSWG/2005/II/CRP.1/Add.3 and CRP.2/Add.3)

1. *At the invitation of the Chairperson, the representatives of the Democratic People's Republic of Korea took places at the Committee table.*

Articles 7 and 8 (continued)

2. **Ms. Tavares da Silva**, noting that, according to the report (CEDAW/C/PRK/1), nearly 100 per cent of women voted, wondered whether voting was mandatory. If it was not, and women were so highly aware of their democratic responsibilities, it seemed incongruous that their representation in the Supreme People's Assembly and the local people's assemblies was only about 20 per cent. Temporary special measures might make progress faster. She hoped that the next report would give a fuller picture of women's participation in political and public life, with more data and corresponding analysis. She would like to draw the State party's attention to the Committee's general recommendation No. 25 on temporary special measures. As a general comment, she noted that women were considered to prefer positions that did not involve hard labour, yet they were heavily represented in nursing, which many considered to be a very hard job indeed in terms of long, late hours, stress, lifting of heavy patients and the like.

3. **Ms. Belmihoub-Zerdani** said that it was rare that a country submitted its initial report within the prescribed time frame, and she wished to congratulate the State party for doing so. In view of the mountainous nature of the terrain, which made management more difficult, and the dense population, she was particularly pleased with the figures in the report. The percentage of women in the national and local assemblies was respectable, although it could be improved, but it appeared that there were insufficient women in judgeships, and there a quota would help. She wished to stress the importance of women in the diplomatic service. Despite the series of natural disasters the country had suffered in recent years, it had kept up its standards in education and other areas. The Committee looked forward to seeing evidence of impressive progress in the next report.

4. **Ms. Hong** Ji Sun (Democratic People's Republic of Korea) said that it was true that women tended to go into the fields of medicine, commerce and light industry and were similarly heavily represented in administrative posts relating to those areas. Their presence in the caring professions seemed to be related to the nature of women. Nonetheless, women were currently engaged in forms of employment and sport previously unheard of, and the Government was striving to ensure equality between men and women at all different levels of employment and administration.

5. **Mr. Ho** O Bom (Democratic People's Republic of Korea) said that there were no legal or customary barriers to women's participation in public life. All citizens at age 17 were eligible to vote and to hold office, and it was considered normal for a woman to stand as a candidate. However, there had been some reluctance on the part of women to participate in political life in large numbers. Similarly, women had tended to gravitate towards certain occupations and areas of administration and to avoid others. One of the key objectives of the 10-year national plan of action for women that was being prepared was to advance women's participation in public life by raising awareness among women and in society of the desirability of having more women involved in politics and in every area of administration and economic life. The Government was considering applying quota systems where it seemed appropriate, particularly to increase the proportion of women in the judiciary. The Government was already aware that women judges were more efficient in the family courts and had recommended a push to train more women in the legal field.

Articles 9 and 10

6. **Ms. Coker-Appiah** said that she congratulated the Government of the Democratic People's Republic of Korea on the many measures it had taken in the area of education to provide women with opportunities for advancement, including such innovative initiatives as part-time continuing education. However, she had heard that, despite government policies, access to higher education was sometimes subject to

discriminatory factors, such as class or family, and she would appreciate comments on that point. Paragraph 143 of the report indicated that the proportion of women receiving technical and vocational education was low in heavy industry and high in the health, commercial and light industry sectors, "because such sectors correspond[ed] with the characteristics of women". That statement revealed an underlying gender stereotype that needed to be addressed. She would like to know whether there were any specific measures being taken in schools to address gender stereotypes and to encourage women to move into a greater diversity of disciplines. Since so many schools and school materials had been destroyed in the series of natural disasters that had struck the country, she would appreciate a progress report on the efforts to return to normal functioning.

7. **Ms. Gaspard** said that statistics were lacking in some areas. It would be useful in the next report if the statistics for education, and especially for higher education, could be disaggregated by sex. It was reported that only 25 to 30 per cent of university students were women, since women preferred in general to go into vocational programmes. She wondered to what extent that was due to role stereotypes and what measures the Government envisaged to encourage women to diversify, for instance, into scientific areas. She was also interested to learn whether there were any gender studies and research being done at the university level. Education was the best way to dismantle stereotypes, and cooperation from foreign organizations could be helpful if the Government was willing to consider it.

8. **Ms. Popescu**, noting that customary discrimination was recognized as still being a problem, asked whether overcoming stereotypes was an aspect of teacher training. The report claimed that there was no illiteracy in the Democratic People's Republic of Korea; that was highly commendable but so unusual that she wondered whether that was strictly true among older women. It was also said that there were no school drop-outs except for health reasons; she would like to know what happened to girls who had to leave school owing to illness.

9. **Ms. Tavares da Silva** said that, although the report claimed that "customary discrimination against women in the field of education [had] long been forgotten", the fact that only a third of students in higher education were women suggested that there must be some form of hidden discrimination, as in other countries.

10. **Ms. Han** Chae Sun (Democratic People's Republic of Korea) said that the Government pursued a policy of comprehensive education for all. Education was free and compulsory through secondary school (11 years), and access to higher education was based on ability. Just before graduation from secondary school, any students who wished to do so could take a preliminary examination to qualify for higher education. Those who did well on the exam could select a university or college of their choice, where they would take an entrance examination. The ratio of women among university students did reflect remnants of old stereotypes, since large numbers of women chose occupations, such as teaching and nursing and the commercial fields, that required only three-year programmes instead of the six-year university programmes. It was also true that women tended to choose non-technical occupations, apart from medicine, but with the advent of computer technology that was changing.

11. More than half a century had passed since the country had done away with illiteracy. Following liberation from Japan in 1945, the country had launched a vigorous literacy campaign and in 1956 had introduced compulsory primary education. The multiple indicator cluster survey done in 2000 with the help of the United Nations Children's Fund (UNICEF) and other international organizations had verified that there was virtually no illiteracy among women and that the average educational level of women was beyond secondary school completion.

12. With regard to the school drop-out rate, while the country did have an 11-year compulsory free education system, it sometimes happened that a child might have to discontinue his or her schooling due to illness and resume it after recovering. It was certainly possible for those who married at the age of 17 to resume their education later, but in practice it tended not to happen. In any event, the average age of marriage was 24, and the State had recently conducted a campaign to persuade people that early marriage was not good for women's health. When they were young, women wanted to get more education and start working for society. They were given every opportunity to be trained as teachers and were never discriminated against in teacher training; many of the country's university professors were women. The successive

natural disasters that had beset the country 10 years or so previously had done much harm not only to the economy but also to education; more than 145 of the country's 200 counties had been affected. The State had devoted special attention to education and, with the help given by UNICEF and other organizations in the aftermath of the natural disasters, there had been a great advance in education in recent years.

Article 11

13. **Ms. Khan** said that the report stated that women's right to work was guaranteed by the Constitution and by labour legislation and regulations, and that women were free to choose their employment, yet it also referred to the State "allocating" jobs to female graduates. Clarification would be appreciated on how the system worked: whether jobs were allocated to boys in the same way as girls; whether the jobs allocated to girls were those customarily performed by women; whether jobs were advertised in the press or by Government notification; whether women were free to move from small towns or rural areas to seek better job opportunities in urban areas; whether any complaints about a job being unacceptable been made since the country ratified the Convention, and, if so, what remedial measures had been taken. If there truly was no job discrimination, it was surprising that only 15 per cent of managers were women. She urged the Government to consider taking temporary special measures and ratifying International Labour Organization (ILO) Conventions Nos. 100 and 111.

14. **Ms. Han** Chae Sun (Democratic People's Republic of Korea) said that teachers explained to graduates what the job opportunities were, and communicated each graduate's choices to the labour administration departments of municipal and district people's committees, which then discussed them with enterprises. After that, the committees met the graduates and jobs were allocated. As some jobs were more popular than others, it might happen that a graduate's first choice was no longer available, and he or she might meanwhile have to take another job. There was no system of jobs being advertised; notification of job opportunities was made through schools and people's committees. It was possible to complain about the allocation of a job to the complaints machinery in the organs of people's power, which then sent an official to the workplace in question to investigate the details and to try to settle the matter. The reasons why only 15 per cent of managers were women were custom and the economic situation of a developing country. Working as a manager required a great deal of time and effort, and women were not willing to devote that much time to their jobs. To deal with the problem, the State had taken the temporary special measure of setting quotas for women in the economic and administrative fields of 10-15 per cent at the director and deputy-director levels and more than 20 per cent at section head level.

15. **Mr. Pak** Kum Bok (Democratic People's Republic of Korea) said that, although his country was not a member of the International Labour Organization, the provisions of most ILO Conventions were reflected in its domestic legislation. His country was discussing at the ministerial level the possibility of joining ILO.

Article 12

16. **Ms. Dairiam** said it was not clear to her that domestic violence was not a problem in the country. The delegation had described the characteristics of women as being gentle and caring, implying that it was characteristic of men to be the opposite. If so, and the couple clashed in the home, there was likely to be domestic violence. Perhaps the women were so gentle and caring that they kept quiet about it. The health system could play a role in bringing domestic violence into the open by training health personnel to identify symptoms of the kinds of injuries that might be the consequence of such violence.

17. Information had been provided about the maternal mortality rate, but not about its trend. It would be interesting to learn whether it had increased as a result of the economic crisis and whether pregnant women had been given priority in access to health care. The report stated that at least 98 per cent of women were assisted in childbirth, but sometimes they also needed emergency obstetric care; she wondered what priority such care was given in order to address the problem of maternal mortality.

18. **Ms. Pimentel** said that the health aspects of the physiology and hygiene of the human body had been emphasized in the report, but information would also be welcome on any public policies and measures that included socio-economic and psycho-social factors as well as biological ones, and, particularly in such cases, on whether the confidentiality of men and women as patients was respected. She urged the Government to

pay heed to the Committee's general recommendation No. 24 in formulating its health policies and measures. The report stated that a pregnancy could be terminated where it might "arouse a social problem because of illegality", and she wondered if that included cases of rape. The report also stated that so far no HIV/AIDS cases had been reported, but the fact that no cases had been reported did not necessarily mean that no cases existed. The State party should consider the incidence of HIV/AIDS in border areas.

19. **Ms. Han** Chae Sun (Democratic People's Republic of Korea) said that the National Coordination Committee was very willing to pay greater attention to the question of domestic violence in order to ensure that women were not just keeping quiet about it. As for the country's public health infrastructure, a universal, comprehensive and free system of medical care had been introduced a long time ago. There were 6,500 clinics in the country, with the first-level public health facilities being the *dong* clinics in the cities and the *ri* clinics in the rural areas. There was also the household doctor system, with each doctor caring for an average of 134 households and paying particular attention to children and women of child-bearing age, who were given regular reproductive health check-ups. Every pregnant woman had her household doctor, and once she became pregnant, she was registered as such and placed in the care of professional obstetricians; if her pregnancy developed abnormally she was transferred to hospital. In the rural areas pregnant women were in the care of mobile health service teams with ambulances. No one could practice medicine who was not qualified.

20. Abortion was legal in some circumstances, but it could be undertaken only in a hospital, on the advice of a doctor and only if maintaining the pregnancy would endanger the health of the mother or the foetus or if the pregnancy was illegal because it had been caused by extramarital intercourse. There were no recorded cases of HIV/AIDS because the country had a strong system of moral education, because marriage partners were traditionally faithful to each other and did not engage in adultery, and because the country operated a very strict quarantine system with medical checks being carried out on those entering.

Articles 13 and 14

21. **Ms. Tan** asked how many rural women had benefited from State social insurance and social security in the very difficult period following the natural disasters that must have devastated the rural economy, and what sort of benefits in kind and what amounts of social insurance they had received. The Committee would appreciate gender-disaggregated statistics on these issues. With regard to the widely reported famine in the country, more details would be welcome about the real situation on the ground and the impact on rural women and children. As for the plan to build 500,000 homes in rural areas and provide clean water, she wished to know how many such homes had so far been built and in which areas, how many of those areas had a supply of clean water, and how many areas still had to be provided with homes and clean water.

22. **Ms. Coker-Appiah** asked what opportunities rural women had to move into occupations other than agriculture, where the majority seemed to work; and also if they had the general freedom of movement to go to urban centres to study other non-traditional fields. Since the report had provided little data generally on rural women, the Committee would appreciate it if the next report could give disaggregated statistics about infant/maternal mortality in rural areas and data on rural and urban women at the various levels of education.

23. **Ms. Arocha Dominguez**, noting that rural women were hardest hit by national economic constraints and natural disasters, observed that legal strategies often did not guarantee an improvement in their status. Information should be given on the ratio of women to men in the cooperative farms and in their management structures; and on what the Government was doing to help rural women farmers: for instance, by training them in non-traditional food production, since crops like rice were difficult to grow in mountainous areas.

24. **Ms. Han** Chae Sun (Democratic People's Republic of Korea) said that the State was planning to construct 90,000 new homes to alleviate the critical situation of those who had lost their homes as a result of natural disasters since 1994, and 50,000 of them were planned for rural areas. Furthermore, the National Plan of Action called for the provision of clean drinking water especially to rural households, only 71 per cent of which had a water supply in their homes as against 84 per cent of urban households.

25. By law women could choose any occupation. It was true that most rural women had been brought up in farming families, but some did go to teacher-training institutions or followed other university courses of study.

26. The maternal mortality rate was 103 per 100,000 live births, down from 105 in 1998. More research would be done on the economic situation of rural women, as recommended by Committee members.

27. **Mr. Pak** Tok Hun (Democratic People's Republic of Korea) said that agricultural production in 2004 had been 4.3 billion tons, 900,000 tons short of domestic demand. The entire country, in order to become self-reliant in food, had mobilized to help the farmers in the mountainous areas. One of the Government's policies was to promote the selection of seeds appropriate to the type of land being farmed: corn and potatoes were more reliable crops than rice, for example, in the mountains. The Government was also encouraging the growing of two crops per year, and was introducing mechanized farming methods where possible.

28. Rural women were free to move to urban areas in the country, within the same province. Otherwise — given the general situation, which was not peaceful — they needed for security reasons to apply to the Government for a pass, specifying where and for what purpose they wanted to move. Once the pass was granted, freedom of movement was unrestricted.

29. **Mr. Ho** O Bom (Democratic People's Republic of Korea) observed that whereas the Democratic People's Republic had once been a backward agricultural country with 80 per cent of the population engaged in farming, the figure was now down to 30 per cent. That very figure was evidence that people could move out of rural areas.

Articles 15 and 16

30. **Ms. Gabr**, noting that the report contended that the low rate of divorce in the country was not due to any legal restrictions on it, said that there must be some other explanation for such a low incidence of divorce. While it was not a favoured option, divorce was sometimes a necessity; more information should be given on the rights of divorced women to custody of children and to marital property. If all that a woman could take from a marriage was the amount of property that she had brought into it, she could be in serious straits if at the end of a marriage she had no job and owned nothing. Since food rations were apportioned according to the job held by each individual, she feared that might mean that an unemployed divorced woman would not receive food. The Government should give serious thought to such matters in ensuring that divorced women enjoyed all rights under article 16.

31. **Ms. Tan** asked whether the family courts that administered the Family Law were specialized courts and whether the Government had any provisions governing domestic violence and the granting of protection orders. If not, it should consider amending the Family Law, along the lines of the Committee's general recommendation No. 19 on the matter. Also, since the delegation had indicated that the Convention would prevail over any contrary provision in the Family Law, it would be interesting to know how many cases had occurred in which the Convention had been invoked and had so prevailed. It was not clear if the training of judges on the provisions of the Convention was ongoing and if the Government intended to expand it to include lawyers, law enforcement officers and social workers dealing with family matters, and if the number of divorces was rising or declining, how long it took to get a divorce in general and whether free legal aid was available to women.

32. **Ms. Bokpé-Gnacadja** observed that, just as paragraph 104 of the report was not reassuring as to the Government's determination to fight discrimination against women under article 5, its reference, in paragraph 224 of the report concerning equality before the law under article 15, to certain "provisions of special protection for women and some peculiar to men" was troubling. Such "special protection" for women could, in some situations where there were remnants of the country's feudal past, actually serve to strengthen patriarchal stereotypes. She would like examples of the special measures for both men and women.

33. The Family Law gave the spouses equal rights in a marriage, but she wondered how the law was applied in practice, as against the tradition whereby the man was the head of the household. Given the subtle kinds of discrimination that could occur, she asked whether the law allowing women also to serve as witnesses in criminal and civil proceedings differentiated in any way between men and women and, if so, what problems had been encountered by women that had led to a special provision entitling them to serve.

34. **Ms. Belmihoub-Zerdani** asked for clarification of the seeming contradiction between the fact that unmarried persons who lived together were considered to be in illegitimate unions but that the children of such illegitimate unions had the same rights under the law as the children of marriages. The arrangements for the division of property upon divorce seemed to be very good ones. Also, since the Democratic People's Republic had accepted aid from United Nations bodies such as UNICEF, she wondered if the Government had claimed from rich countries the 0.7 per cent of the gross domestic product to which, as a poor country, it was entitled since the adoption of the 1995 Beijing Declaration.

35. **Mr. Ho** O Bom (Democratic People's Republic of Korea) said that the divorce rate was going down after rising in the mid-1990s during the economic difficulties. Either party could apply in court for a divorce. The court usually sought through counselling to keep the couple together, wishing to protect the basic social unit, which was the family. For those couples who persisted in wanting a divorce, the court, before granting the divorce, looked at the disposition of property and custody of the children, which usually involved child support. Children over 14 years of age could decide which parent they would live with. Custody of those under 14 was assigned as the parents and the court decided. If the mother received the children, the father had to pay between 10 and 30 per cent of his income in child support. After a divorce, the property that each party had brought into the marriage returned to that party; property obtained during the marriage was divided basically evenly, with due consideration of the need for child support. Food supplies were distributed by the Government to householders, so divorced women obtained supplies on that basis.

36. There was not a family court as such, although civil courts of the first instance, which often had female judges, dealt with family matters. Provisions on violence against women were not part of family law; such violence was covered by the general provisions of criminal law against violence. Judges were trained to consider and rely on international human rights instruments, including the Convention, in deciding cases. Husbands who violated the rights of their wives could be brought to court and the court relied on the Convention in such cases. The Government had established a plan of action to root out outmoded customs, attitudes and stereotypes that discriminated against women, but such attitudes were deep-seated and the process would take a long time. Public organizations and institutions of people's power were working to educate people and overcome the stereotypes.

37. Many laws stipulated certain rights and obligations of citizens and some were specific to men or to women; for instance, mothers with three children were allowed to work only six hours a day and yet received a full day's wages, and men who had intercourse with underage women were prosecuted. Women were not excluded from giving testimony in courts. A matrimonial union was legal and protected by society only when it was registered. Children born out of wedlock were not themselves at fault and their rights were protected in the same way as those born in legal unions.

38. **The Chairperson** said that the report and the responses had shown that women in the Democratic People's Republic of Korea were generally equal before the law and in the law. There were still problems with some laws that needed updating and revision, in particular the laws on the marriage age and on nationality. The country's reservations on articles 2 and 9 undermined the object and purpose of the Convention and she hoped those reservations would soon be lifted. One problem that had been referred to often was that of traditional stereotypical attitudes. A national discussion needed to be started on what women actually wanted; it was hard sometimes to get a reliable reading of those wishes, owing to the effects of socialization on both men and women. Another problem was the general lack of appropriate disaggregated statistics; there the Government could seek guidance and training from international organizations. She appreciated the fact that the Government had made use of temporary special measures in some sectors. She urged the ratification of the Optional Protocol and the amendment to article 20.

39. **Mr. Ho** O Bom (Democratic People's Republic of Korea) said that his delegation now understood better how the Convention worked and it was quite possible that the reservations to the two articles would be lifted.

The meeting rose at 5.15 p.m.